

October 3, 2000

Final Report: Institutional Strengthening of the Human Rights Ombudsman Office in El Salvador
USAID Cooperative Agreement #519-A-00-00-0001600

Ana Klenicki
Director
Democracy and Governance Program
United States Embassy
Blvd. Santa Elena,
Antiguo Cuscatlan, El Salvador

Dear Ms. Klenicki,

This document is the Final Report from Conflict Resolution Research and Resource Institute for Cooperative Agreement #519-A-00-00-0001600. The objective of this project as stated by USAID/El Salvador was "to enhance the capability of the Procuraduría para la Defensa de los Derechos Humanos (PDDH) of El Salvador to analyze and formulate recommendations to strengthen systematic protection of human rights".

By initiating this project USAID/El Salvador demonstrated it was distinctly different from other international sponsors of the PDDH by moving forward during the PDDH's troubled times. The Mission further indicated its serious and sincere support by placing the project in a 60-day suspension [February 18 – April 17, 2000] instead of canceling due to the indictment and then resignation of the permanent Ombudsman, Dr. Penata. Many international sponsors had already withdrawn from projects which they had instituted at the PDDH instead of acknowledging the PDDH as a priority, for active attention and support. As an integral part of the Peace Accords, the PDDH remains a crucial Salvadoran institution.

During the 60 day suspension period CRI continued to work within a scope of work approved by USAID/El Salvador [see Attachment 1]. Meanwhile Dr. Leo Valladares, the vice Ombudsman was appointed to an interim post. The project resumed on April 17, 2000, and continued until June 28, 2000 when USAID/El Salvador terminated the cooperative agreement and the project due to the continued lack of support shown the PDDH by the El Salvadoran government. It became untenable for USAID/El Salvador to continue a project when the elected legislative body of El Salvador did not elect a permanent Ombudsman. USAID/El Salvador's action was the result of a difficult

decision given the amount of support the revitalization plan had within the PDDH. Nonetheless, within the brief life of this project accomplishments were achieved, and lessons were learned.

- In March CRI conducted eight onsite meetings with local and international NGO's which had extensive interactions with the PDDH during the three previous Ombudsmen terms of office. These meetings resulted in a successful although often conditional consensus regarding future project support;
- CRI did establish a local office;
- CRI began interviewing candidates for the information management specialist. [suspended];
- CRI acquired a working knowledge of the Ombudsman Office in terms of mission, law, policy, and practices via the documents listed in Attachment 1;
- CRI gained the support of top level PDDH staff regarding the dramatic operational changes that need to occur within the agency. This accomplishment was achieved via extensive onsite interviews which occurred in the Ombudsman office;
- CRI developed a new Scope of Work for the project [Attachment #3] with the full participation of the interim Ombudsman and USAID/EI Salvador which addresses the policy, practices, problems, and viable options needed to increase the Agency's competencies, responsiveness, credibility, efficiency, productivity and effectiveness.

CRI has learned the and/or affirmed the following factors:

- Among the local and international NGO's there is strong yet conditional support for the PDDH. Whereas the PDDH is a corner stone of the Peace Accords it is of great concern that the office not be fulfilling its mandated tasks;
- There are many committed staff members at the PDDH who are in a position to help develop and implement the changes needed to reform the institution;
- The PDDH's infrastructure and equipment do not exist to make or to sustain urgently needed changes in the information management system. [The Ombudsman organized an internal committee of staff members to assess needed changes; a survey was conducted and a document produced which identifies what must be done.];
- Within the PDDH there is no Human Resources or Personnel Department. This factor hinders both professional development as well as accountability amongst staff, and adversely effects quality, productivity, morale, and credibility;
- There is a severe lack of cooperation and coordination between departments within the Ombudsman office;
- There is an enormous need to streamline case processing as well as the amount of paperwork generated without infringement on thoroughness and justice;
- An immediate strategic planning process for the PDDH is critical and it must include all levels of the agency.

Obstacles which blocked further project progress include:

- The lack of a permanent Ombudsman;
- The unaddressed impacts of the civil service system and labor union on the revitalization efforts;
- The Salvadoran government under funding of the PDDH;
- Local NGO's perceptions that the El Salvadoran government is not committed to the revitalization of the PDDH;
- The PDDH's lack of credibility with the nation's population and the international donor community, due in part to the actions of the former Ombudsman Dr. Penata;
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Additional needs to be met:

- A carefully designed comprehensive and immediate overhaul of the entire information management system;
- Strategic planning sessions with full involvement of all staff;
- Staff "cross training" in order for staff to competently perform several functions thus increasing agency responsiveness and productivity [as well as enhancing cooperation and staff development];
- Creation of realistic yet progressive and practical short and long term institutional goals;
- Reintegration of the Salvadorian Human Rights Institute into a more cohesive, active, and competent component of the PDDH;
- Improve press and national NGO/International donor relationships thereby building trusting and functional relationships;

Ms. Klenicki, it was a pleasure to work with you on this vital project. We remain duly impressed with the commitment of the staff we met at USAID as well as many of the people the PDDH. We do hope that within the near future we will have the opportunity to be fully involved in the reformation of the PDDH. Thank you for this opportunity.

Sincerely,

Polly Davis
Deputy Director

Attachments:

- #1 Scope of Work during 60 day Suspension Period
- #2 Evaluation of the PDDH
- #3 Scope of Work June 1, 2000 – May 31, 2000

Appendix 1 Scope of Work during the 60 day Suspension Period

Conflict Resolution Research and Resource Institute, Inc.

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Tacoma, WA 98405 USA

253/597-8100

Proposed Scope of Work during Sixty Day Suspension Period [February 18 – April 17, 2000]

Institutional strengthening of the Human Rights Ombudsman Office in El Salvador USAID Contract No. 519-A-00-00-0001600

Introduction:

This scope of work outlines a proposed plan to conduct crucial but limited information gathering and project mobilization in preparation of the pending lifting of the suspension order for this project. CRI's overall project goal and attitude remain identical: *to assist the Ombudsman Office in enhancing internal morale, efficiency, and effectiveness, as well as its responsiveness and credibility with the public.* Therefore, during this transitional period for the Ombudsman Office and in full accord with the conditions set forth by the USAID/El Salvador, all tasks and related activities will occur without any contact with the current Ombudsman Office or its staff and will be well within the terms for low profile maintenance.

Furthermore, whereas CRI highly values local persons as primary informational resources we reaffirm that during this transitional period we will place emphasis upon identifying and utilizing such resource persons and organizations outside of the Ombudsman Office, coupled with a credible system of data validation.

Overall Project Goal:

To assist the Ombudsman's Office in enhancing its internal morale, efficiency and effectiveness as well as its responsiveness to and credibility with the public.

Goals for the 60 day suspension period:

- Acquire a working knowledge of the Ombudsman Office in terms of mission, law, policy, practices, problems, and viable options to increase responsiveness, credibility, efficiency, and effectiveness.
- Acquire working relationships and high trust levels with appropriate external office resource persons and groups as **one** necessary means for quick full project mobilization when the suspension period is lifted.

Proposed Tasks for this 60 day suspension period:**Task One**

Build trusting working relationships with competent and credible external resources regarded as necessary and appropriate to this project via informational interviews of former employed staff, *donor* resources, and appropriate *interest* organizations.

Task Two

Acquire a working knowledge of all pertinent laws, policies, processes, and practices relevant to the operations of the Ombudsman's Office as well as applicable particulars to the rights of women, children, the Labor Code and the new Criminal Code.

Task Three

Provide preliminary findings and recommendations regarding the efficiency, effectiveness and credibility of the Ombudsman's Office.

Task Four

If USAID/EI Salvador concurs we propose to develop for the new Ombudsman a briefing notebook of sorts which will include a crisp but thorough overview of the mission and operations of the Office as well as of this project, our findings regarding the environment, and the attitudes and concerns of donors.

Task Five

Whereas the MIS specialist identified in the proposal has taken another job we will initiate the process of recruiting competent and experienced candidates for this project position.

Methodology:

The above tasks will be accomplished primarily through interviews and the thorough review and analysis of existing documents manuals, forms and reports as well as pertinent newspaper articles and other models of research including interviews. The following products will result from the initial 60-day startup of this project in this suspension period, and without contact with the Ombudsman Office or current staff.

Deliverable Products:

1. A *preliminary "findings and recommendations" report in Spanish and English* that identifies, describes and justifies:
 - (a) Information components to be included in the operational plan in *tutela* for concepts of due process, women's rights, and personal liberties.

- (b) The inefficiencies and deficiencies of case investigation, resolution, and administrative/management processes in preparation of an action plan for reengineering the above-cited procedures.
 - (c) Preliminary recommendations for efficient and effective investigation and resolution of abuses, i.e. human rights, women's rights, and personal liberties as well as applicability's of the new Criminal Code.
 - (d) Roles and responsibilities of key staff and functions of the Office as related to effectiveness, [i.e. case resolution within a reasonable time period, high degree of compliance, etc.], the delegation of authority, and customer service.
 - (e) Design of orientation courses for relevant Office staff regarding key pertinent elements of the new criminal code procedure.
 - (f) Recommendations regarding educational materials for the public as well as targeted populations, i.e., management, labor, women, juveniles and child advocates.
2. Should USAID/EI Salvador concur, a *briefing* notebook of sorts in Spanish and English which provides an overview of the mission and functioning of the Office as well as of this project including the above stated preliminary findings and recommendations.

Sequence of Activities:

1. Startup conference [February 28-March 1 Washington DC]
2. Develop proposed initial work plan with 1 page Project Fact Sheet [completed during start up conference]
3. Identify, describe, and justify specific support request of USAID, i.e. assistance in securing appointments with *donor* groups and *interest* organizations, etc.
4. Recruit /secure MIS specialist to be hired at the end of the suspension period for full time employment through out the project.
5. Develop *scope of work and definitive task contract* with a local primary expert resource person who is external to the Ombudsman's Office to assist CRI in obtaining pertinent documents; in making appointments with other appropriate resource persons/groups; and in understanding law, policy, practices, and problems.

6. Identify additional external Ombudsman Office expert resource persons and organizations.
7. Secure documents [listed below]
8. Secure interview appointment with external agency resources [listed below]
9. Preparation/conduct 7 day work site visit to San Salvador [March 19-26, 2000] by Lincoln, Davis, Pratt with Chief of Party Frieda Garcia.
10. During initial worksite visit review/analyze documents [listed below]
11. During initial worksite conduct/analyze interviews [listed below]
12. Prepare/submit to USAID/El Salvador in Spanish and English *preliminary "findings and recommendations"* report as well as a *briefing* notebook as described above.

Document List:

1. Copy of enabling Legislation and companion documents
2. Organizational chart of the Ombudsman Office
3. Job descriptions as well as personnel and policies and manuals [also staff requirements, evaluation processes, rate and reasons for attrition, etc.]
4. Procedural manuals covering intake, interrogatories, investigation, dispositions, and case administration
5. Forms used throughout case processing
6. Sample cases [if possible]
7. Forms and procedures that other regional Ombudsman Offices use [if attainable]
8. Materials determining and describing due processes, women and children rights
9. Factual tests for determining "just cause" and "no cause"
10. Statistics [number of intakes, types of complaints, ratio of just cause, ratio of resolution and ratio of compliance]

11. Public educational and outreach materials
12. General pamphlets and brochures for "users"
13. Last three couple of annual reports submitted to the Legislature
14. Pertinent news articles
15. UNDP reports on Ombudsman Office's MIS and internal computer systems
16. New "Criminal Code" and "Labor Code"

Resource Interviews

Primary Resource Consultant

USAID

Social Reconstruction Program (Canadian Cooperation) - PRS [Lic. Esperanza Villafuerte]

PRODECA

Catholic Relief Services (Walter Blake)

Las Dignas

Olaf Palme Foundation

Radda Barnen (Swedish)

Time and Approved Budgetary Allocations:

[see attachment]

Preparation of Work Activity following the End of Suspension Period [April 17, 2000]

As a means to avoid any delay in project activity following the end of the suspension period , we are prepared to perform the tasks listed below without disruption to the project flow.

1. Meet and discuss project purposes, tasks, methodologies, and status with the Ombudsman and/or other key staff as designated by the Ombudsman.
2. Acquire, review, and analyze any additional documents which were not accessible to CRI during the suspension period.
3. Establish the office setup including acquisition of site, furniture, equipment, supplies and telephone lines.
4. When deemed appropriate and approved prepare and conduct PDDH *team building* trainings coupled with a *focus group* approach to having PDDH staff participating in

identifying and addressing issues, concerns and ideas thus enhancing their sense of both procedural and substantive ownership.

5. Prepare and submit the proposed work plan and budget for the next two months, i.e., anniversary, date of the contract.
6. Prepare and submit a monitoring and evaluation plan.
7. Hire the MIS Specialist.

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Polly Davis

CRI Deputy Director

Frieda García

CRI Chief of Party

Appendix 2 Evaluation of the PDDH

**CONSULTORIA:
ANALISIS SITUACIONAL DEL TRABAJO DE LA
PROCURADURIA PARA LA DEFENSA DE LOS
DERECHOS HUMANOS.**

**PRESENTADO POR:
WALTER RENE PALACIOS**

**PATROCINADOR DEL ESTUDIO:
CONFLICT RESOLUTION, RESEARCH AND RESOURCE
INSTITUTE
WASHINGTON D.C.**

ESQUEMA GENERAL

1. OBJETO DEL ESTUDIO
2. METODOLOGIA
3. RESUMEN DE LOS HALLAZGOS PRINCIPALES
4. CONTEXTO GENERAL
 - 4.1 SURGIMIENTO DE LA PROCURADURÍA PARA LA DEFENSA DE LOS DERECHOS HUMANOS.
 - 4.2 MANDATO CONSTITUCIONAL Y AMBITO DE ACCION
 - 4.3 PROGRAMAS GENERALES Y ESTRUCTURA ORGANIZATIVA
 - 4.4 AREAS Y/O PROGRAMA ESPECIFICOS
5. ANALISIS DE LAS AREAS DEFINIDAS COMO PRIORITARIAS
 - 5.1 MISION, ESTRUCTURA Y SISTEMA GERENCIALES
 - 5.2 EDUCACION PUBLICA
 - 5.3 SISTEMA DE ATENCION DE CASOS
 - 5.4 DEFENSORIAS MUNICIPALES
 - 5.5 VERIFICACION DE LA APLICACIÓN DEL NUEVO CODIGO PROCESAL PENAL
 - 5.6 ORGANIZACIONES DE LA SOCIEDAD CIVIL
 - 5.7 ORGANISMOS DE COOPERACION INTERNACIONAL
6. LA INFORMACIÓN ESTADISTICA DEL PROCESO DE ATENCION DE CASOS.
7. MATERIAL BIBLIOGRAFICO CONSULTADO.

1. PURPOSE OF THE STUDY

The purpose of this study is to analyze the work of the PDDH in identifying the problems and options to enhance its credibility, efficiency and effectiveness within the framework of the protection and education on Human Rights. The actual situation will be analyzed, and recommendations and preliminary findings on the following will be made:

1. Background, Constitutional Mandate ,Programs and Organizational Structure.
2. Mission, Structure and Managerial Systems.
3. Case Management System
4. Public Education
5. Municipal Advocacy Centers
6. Enforcement of the new Procedural Penal Code
7. Civil Society Organizations
8. International Cooperation Organizations

2. METHODOLOGY

We chose an eclectic methodology.

- ☐ Meeting with the PDDH officials and former officials, Cooperation Organizations and Non Governmental Organizations working with the PDDH.
- ☐ Documentary Investigation
- ☐ Direct Observation and case studies, reviewing the files and methodology of the Delegations and Central Offices based on the various institutional documents (Case reports).
- ☐ Access to reports, educational support materials, Memoirs, project reports, diagnostic studies prepared by the internal and external staff of the PDDH, manuals, laws and the written documents currently used by the PDDH.

3. SUMMARY OF MAIN FINDINGS

The second administration of the PDDH experienced a growth regarding the design and implementation of instruments, norms, and methodology related to the reception, qualification investigation, issuance and follow up of resolutions, which was quite significant, improving and expanding the services provided by the PDDH.

Nevertheless, this advancement was not accompanied by the advancement in the quality of organizational and administrative processes. Many of the tutela activities have been hindered by organizational, administrative and communication processes, that do not correspond to the current demands of neither the population nor the internal demands of the PDDH. Deficiencies were found in the following areas that will be discuses in depth throughout this study.

- In the compliance with the Mission, including the purpose, goals, programs and strategic planing processes.
- In the structure, related to the models and norms that govern the division of labor within the various levels, its integration, and recurrent problems that indicate the existence of structural failures

- ❑ In management systems, related to planning, budget, information communication and generation, decision making and integration mechanisms.
- ❑ In public and internal education and promotion programs, regarding the definition and ranking of policies, execution of programs and projects, and the operational and technical capacity of the Unit in charge of this area within the institution.
- ❑ In case management, related to the regulation, organizational structure, technical capacity and material resources.

4. GENERAL CONTEXT

4.1 Origin of the PDDH.

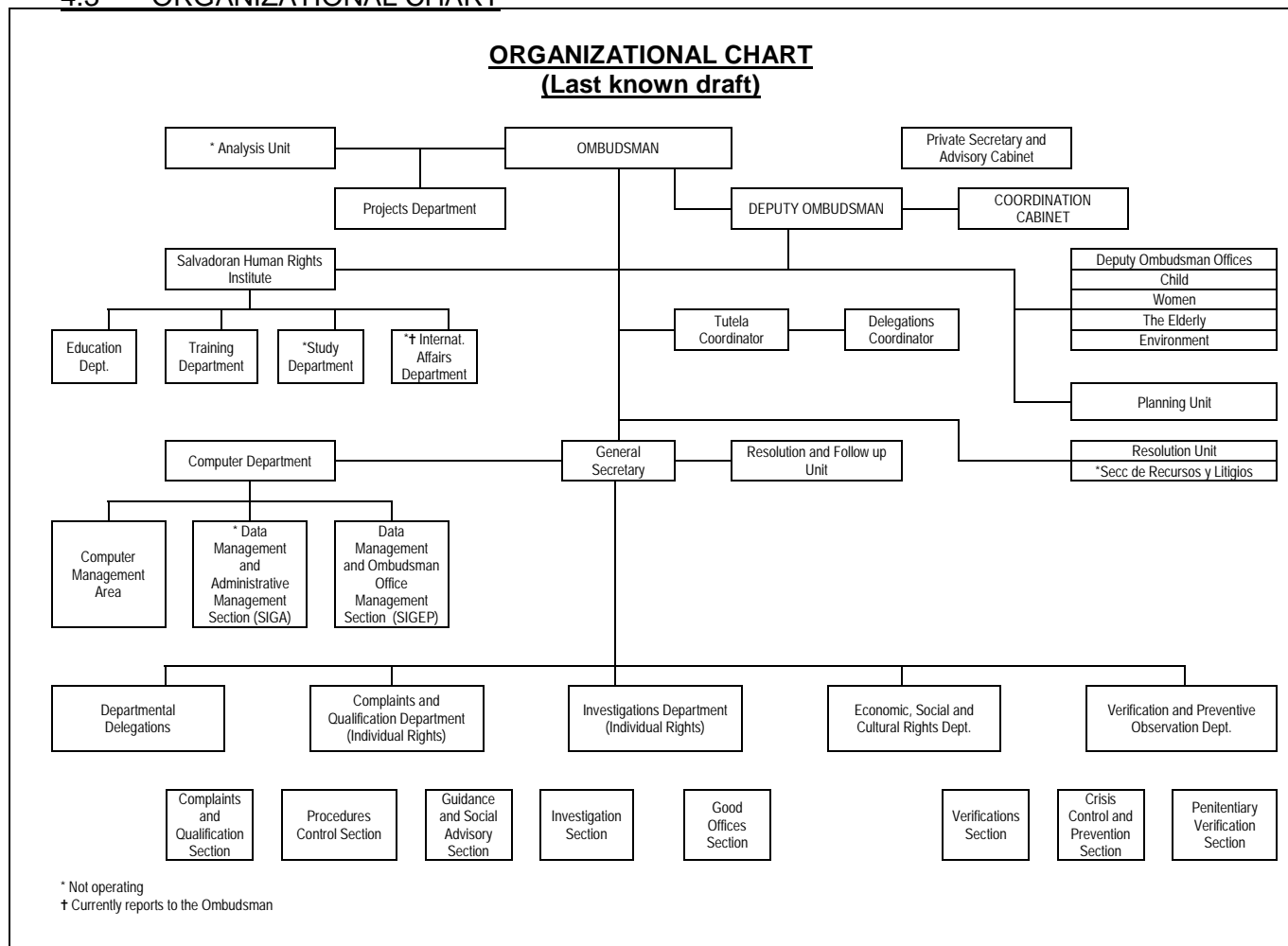
The PDDH of El Salvador originated from the Peace Accords in Mexico on April 27, 1991, within the context of peace making, installment of a democracy open to participation, the rule of law, and the promotion of the human being. On February 20, 1992, the Legislative Assembly ratified Decree No. 183 or the Law for the Ombudsman 's Office for Human Rights.

4.2 Constitutional Mandate and Scope of action

The Constitution of the Republic, in article 194, vested the PDDH with a set of powers that allows it to protect and promote Human Rights. The powers conferred are:

- ❑ Investigation:
- ❑ Assist alleged victims.
- ❑ Promote Recourses
- ❑ Surveillance of prisoners and inspections:
- ❑ Public Administration supervision.
- ❑ Promote reforms and provide opinion on bills.
- ❑ **Draft Conclusions, recommendations and public reports**
- ❑ Draft a permanent human rights education and promotion program..

4.3 ORGANIZATIONAL CHART



4.4 SPECIFIC AREAS AND /OR PROGRAMS OF THE PDDH

The constitutional mandate of the PDDH targets two main areas. Tutela and education. To facilitate this job, five areas or working programs have been set up as follows: Women, Children, Elderly, the environment and economic, social and Cultural rights

The PDDH has the following organizational structure to implement the above programs: the Women, children, the elderly, and the environment Deputy Ombudsman's office, as well as a department for Economic, social and cultural rights.

These are part of the tutela and when deemed necessary participate through three protection institutional mechanisms :investigation, verification and preventive observation and presentation of legal recourses. Nevertheless, the Departmental Delegations or the Departments with jurisdiction from the general tutela area are the ones that receive complaints, investigation, judgements, and resolution projects; notwithstanding they approve the final draft of the

resolutions in their area of work and sign the non liability ones regarding those rights, with the only exception of the ECOSOC Department resolutions that follow a general procedure.

5. ANALYSIS OF THE AREAS DEFINED AS PRIORITARY

5.1 MISSION, STRUCTURE AND MANAGEMENT SYSTEM.

This paragraph attempts to update the analysis on some norms, and administrative procedures regarding the law, mission, structure management system, technology and human resources., that were previously studied by the project managed by the UNDP ELS/014.

Mission:

- ❑ Lack of clarity and agreement, the majority of the PDDH officials coincide in the fact that the mission of the institution is to supervise the performance of public administration but without considering the need to have an appropriate environment where the staff can grow and develop.
- ❑ Goals should facilitate the identification of the institution's future position. The lack of agreement and clarity in the construance of the mission and goals, affect the latter.
- ❑ Since no agreement is evident regarding other critical goals, it becomes difficult to priotize and make sound decisions, which in turn causes problems in scares resource allocation and management
- ❑ As a general rule, the efficiency and effectiveness of the work carried out by the Tutela Units was measured by the number of cases received and solved. This is evident in the execution and implementation of education and prevention projects sponsored by the international cooperation that are seen by the Departmental Delegations as a bother and a burden that interferes case investigation and solution.
- ❑ Lack of a system to learn what users and PDDH employees think about the services rendered by the institution, in order to verify compliance with the mission, goals and prioritary programs. This is an obstacle for innovation and improvement, added to the fact that corrective measures are not undertaken on a timely bases.

Recommendations:

- ❑ Develop holistic and participative strategic planning processes, that start with the strategic thought: values, vision and mission and organization strategies; definition of the missions of the main operational units, in harmony with the institutional mission, followed by the long term planning, including policies, objectives, management indicators, and ending with the operational planning.
- ❑ This should be a participative planning led by the Ombudsman, and the Deputy Ombudsman, Departmental Heads, and Departmental Delegates
- ❑ Strengthen and restructure the Planning Department, which was created by the last administration but that does not respond to the needs of the various organizational units within the institution. This unit should develop a coordination and communication mechanism with Tutela and the Delegations, to implement a monitoring, follow up and control system for the Departmental Tutela and Delegations. .

Structure:

This paragraph describes the models and standards for labor division within the various units and levels of the PDDH, as well as recurring problems that indicate structural failures.

- ❑ The organizational chart differentiates between positions and units but has not fully integrated the roles and tasks of the mission of the institution. Currently the organizational chart does not respond to the needs of the institution nor to the population. Units such as Tutela Coordination and Departmental Delegations and the Procedure Control Department do not improve the PDDH management.
- ❑ The broad descriptions of expected results in each unit does not facilitate the integral assessment of performance in the organization.
- ❑ The Tutela manuals are outdated as well as the procedures and organizational manuals . The Ministry of Finance required certain manuals but not all the staff knows about them.

Recommendations:

- ❑ Structure should be technically reviewed so that it agrees with the mission to allow for the expedite, flexible, and efficient management. An institution as turbulent as the PDDH mainly due to the manner of electing the Ombudsman, should be flexible enough to allow for rapid changes
- ❑ One way of achieving this integration is by elevating the status of the Human Resources Department in specific areas such as staff training, staff selection norms and requirements, positioning, remuneration, and evaluation.
- ❑ An efficient staff training, development and education program should be created with clear short, medium and long term objectives.
- ❑ A staff evaluation, promotion and acknowledgement policies should be established for both individuals and groups to enhance motivation and improve effectiveness at the work site.

Management Systems:

The gaps in planning, budgeting, information generation and communication, decision making and integration mechanisms are discussed in this paragraph.

- ❑ Lack of institutional planning in the short, medium and long term. It is very common for newly appointed incumbents to request working plans at the start of a new year, but without providing the guidelines, nor general policies, to achieve an integrated framework at the unit level. Besides, once these plans and submitted they are rarely followed up.
- ❑ The lack of a systematic planning makes resource allocation more difficult. Financial planning usually responds to contingencies and the designation of scarce resources is not believed to be balanced nor equitable.
- ❑ The information necessary to manage the Procuraduría is insufficient, segmented, and untimely. Efforts have been made in order to have a management data system at the Tutela area (SIGEP), that although it feeds specific data, it does not provide the information that is needed to manage the institution.
- ❑ Greater training and dissemination in the use of computer tools is critical. The distribution of computer and photocopying equipment and its maintenance is very poor. There is no preventive maintenance and some departments have modern and updated software, while others don't.

Recommendations:

- ❑ It is necessary to re-design management systems that generate and disseminate information in order to have a clear feedback system to expand the knowledge of internal staff and to verify the compliance with the mission, goals and priority programs.
- ❑ It is important to train the staff in the use of the SIGEP, and to modify some areas to keep a permanent and updated record of human rights violations. The Institution has never updated the system, nor the cases received at the PDDH, the status of the investigation, violators, and follow up of resolutions.

5.2 PUBLIC EDUCATION

The Salvadoran Institute for Human Rights is the entity in charge of coordinating, leading and executing the various educational programs and projects with the support of the units of the PDDH in accordance with Art. 193, paragraph 13 of the Constitution.

Following are some needs and gaps found:

- ❑ An education policy that could be the reference framework to design the short, mid and long term working plans has not been defined.
- ❑ As a result of the above, the areas and or beneficiary groups have not been defined nor prioritized in terms of the needs of the people and the scarce institutional resources. External training follow an emergency logic and only as a response to specific requests made by some sectors of the population.
- ❑ There are no sound communication and coordination channels to execute the educational activities between the Institute and remaining units, mainly with the Departmental Delegations and the joint Procuradurías.
- ❑ Usually these entities develop activities at the central, Departmental and Municipal levels without an effective communication and coordination.
- ❑ The functional structure of the Institute does not respond to the needs of the various internal and external users. For example, the Unit to coordinate educational activities related to the Departmental Delegations exists, but great part of its resources and time is invested in one sole project (Defensorías Municipales or Municipal Advocacy Centers) and do not respond to the global needs of the 13 departmental Delegations.
- ❑ The various education, promotion and dissemination activities developed by the Human Rights Institute, the central offices and Departmental Delegations are not systematized. Usually when the Annual Report is submitted, the data included is not updated and does not allow to make a thorough analysis at the national level.
- ❑ The teachers of the Institute, and the Central Offices and Departmental Delegations do not follow the same methodology and didactic criteria in the design and execution of programs and projects. One human rights topic is usually approached from different perspectives, methodology and contents.
- ❑ The majority of programs and projects developed by the various Units of the Procuraduría lack sustainability. The majority of educational programs, particularly the ones targeted to specific sectors and areas such as judges, the police, Army and NGO's lack training materials and usually use the ones prepared by other institutions.

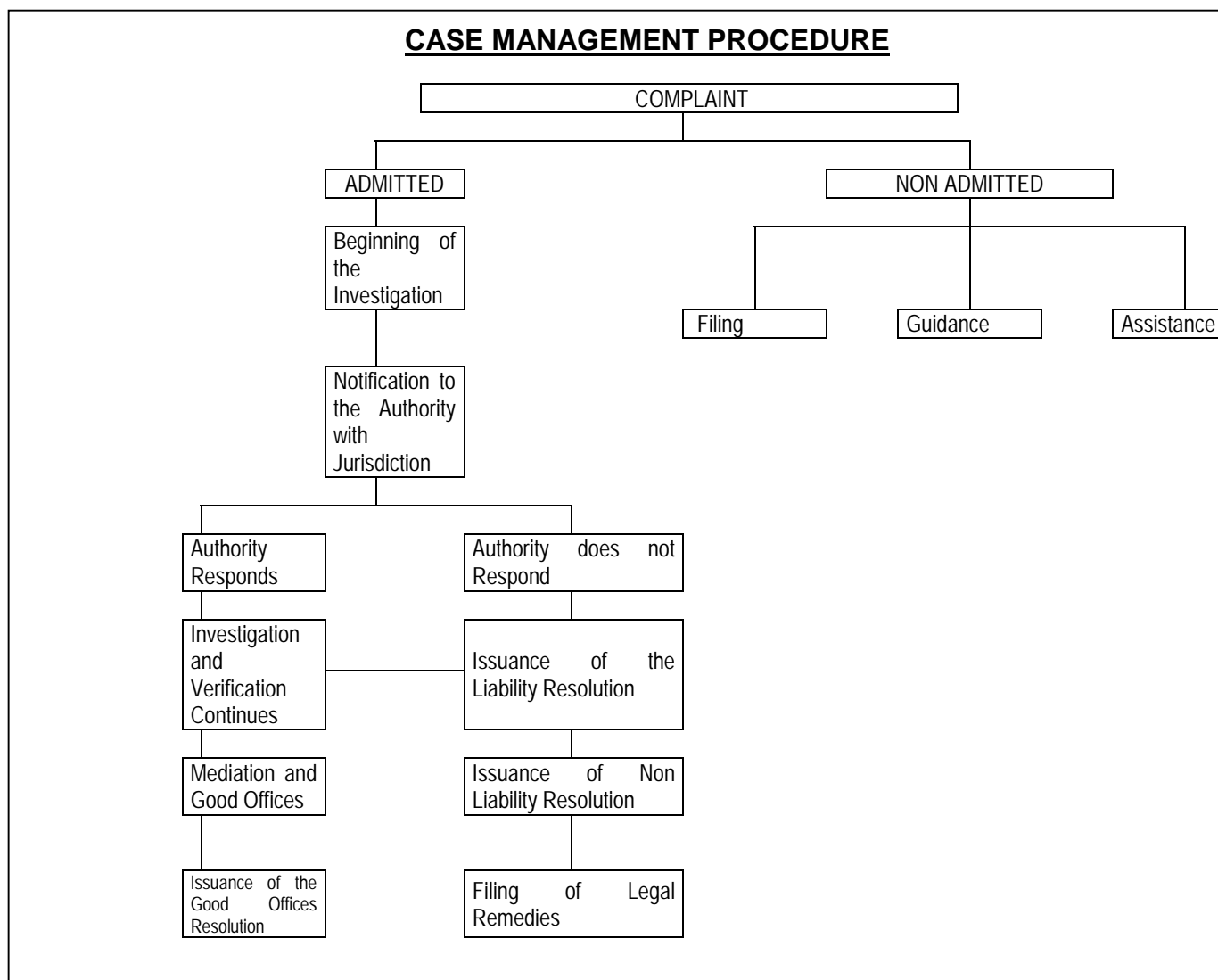
Recommendations:

- ❑ Design a participative working plan, prioritizing the target areas in terms of the scarce financial resources of the institution. The collaboration of the Departmental Delegations and the Procuradurías Adjuntas in this effort is crucial.
- ❑ Design a basic human rights education curriculum that promotes gender, citizen participation and the alternative conflict resolution as conflict prevention instruments.

- ❑ Prepare methodology guidelines for instructors and facilitators to develop target programs
- ❑ Design, produce and validate written and audio visual educational materials for each program identified as priority, taking into account that many participants in the training courses are illiterate.
- ❑ Update and redesign the guidelines of specific areas in order to educate the public regarding the access and use of the services provided by the Procuraduría.
- ❑ The execution of these recommendations should be based on the needs of the population to which the Human Rights program is targeted to.

5.3 CASE MANAGEMENT SYSTEM

This area analyzes the functions of the most important Departments that intervene in the individual case management process, followed by main findings and recommendations.



This unit receives the complaints and starts the investigations on alleged human rights violations in accordance with Art. 11 number 2 of the Procuraduría Law.

This department prepares the project for the first report requested to the Authority accused of the alleged violation to respect the right to a hearing and defense. This Unit is also in charge of those cases deemed inadmissible in accordance with the Tutela regulations, which are later sent to the guidance and assistance section of this same department to inform the complainant about the existing legal mechanisms for that case.

Needs and Gaps:

- ❑ Inadmissible cases are also covered by the legal staff in charge of dealing with alleged violations to Human Rights, rather than by the assistance and orientation section. This generates a duplication of efforts and disorder in the treatment of files.
- ❑ The lack of a systematic training on standards and legal reforms avoids the correct treatment to these cases, an example of this is the lack of knowledge regarding mercantile, civil or administrative issues in general, and on Psychology specifically.
- ❑ The institution lacks the legal staff necessary to work on Human Rights violation cases that need the immediate intervention of the Institution to stop or prevent those violations.
- ❑ These cases cannot be taken care of by the regular staff, and usually the staff assigned to other departments deal with these cases. Sometimes the user has to wait two to five days until an Investigator is appointed for that case. This situation is one of the greatest gaps that the institution faces to work expeditiously and with a preventive criteria.
- ❑ Although the Tutela regulation stipulates that the Complaints Department Head should issue and subscribe the first official report request, it is the Deputy Ombudsman who carries out this task, due to the lack of trust in mid managers. This results in the non compliance with the 24 hours deadline to issue the corresponding official request in accordance with the procedures regulation.
- ❑ An official from another Department covers the lunch period and after working hours period. Due to the lack of training of these staff members regarding the reception of complaints, and the admissibility criteria, these complaints suffer from great deficiencies causing serious problems during the investigation phase.

Recommendations:

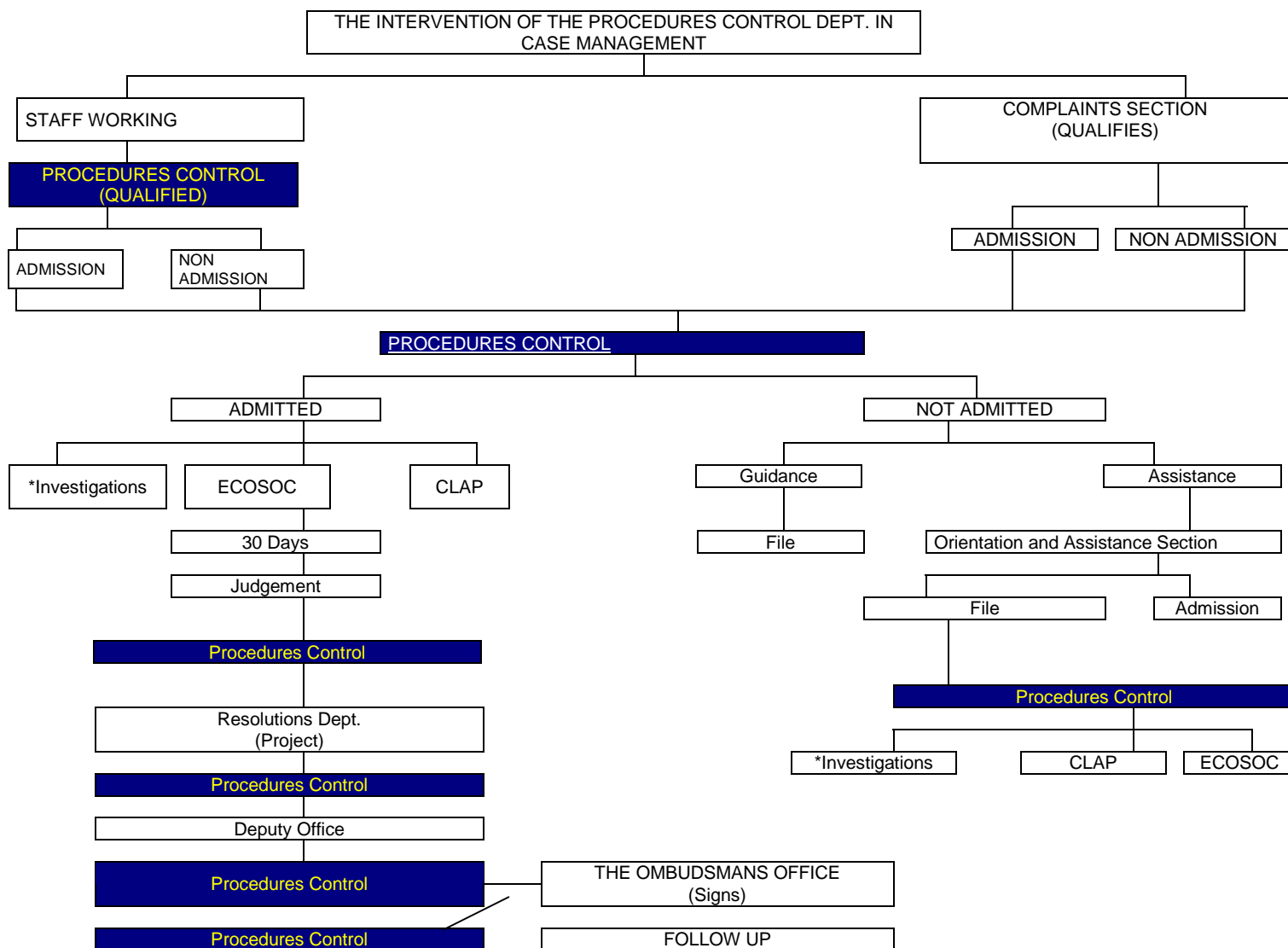
- ❑ Strengthen the guidance and assistance area through training courses based on the fact that almost 60% of the cases received are taken care of through this mechanism.
- ❑ Develop a training program for all the legal staff working in the institution on the mechanisms and criteria to admit or not an alleged human rights violation complaint.
- ❑ Provide training to the staff in charge of guidance and psychological assistance to victims. Include a forensic doctor to assist the victims of violations.
- ❑ Review the procedure to assign staff to cover the lunch and night shifts. Create a specialized unit to deal with cases that need the immediate intervention of the institution.
- ❑ Decentralize the issuance of formal written requests from the Head of the Department of reception and qualification to expedite the case management process.

Procedures Control Department

This department is in charge of assigning file identification codes at both the headquarters and the departmental delegations and also to locate them within the various units; this Department is also responsible for sending the files to the investigations department, and drafting monthly, bi-annual and annual reports regarding the complaints filed and the number of resolutions issued. These reports are given to the incumbent and to the Tutela Coordinator among others, in order to adopt pressing measures or to define institutional policies on the status of Human Rights and also the authorities accused of violating Human Rights.

Needs and Gaps:

- ❑ The physical delivery of the files from the Receptions and Qualifications Department to this Unit is not necessary. This Unit is not in charge of reviewing the file contents but only to provide it with a code and record it. This procedure could cause one whole day of delay in the investigations process.
- ❑ This situation is repeated in other units, delaying the project even more.



- ❑ There are serious problems to prepare the annual report and monthly reports and also to inform the public about the complaints submitted, due to the delay in updating information related to the reception, investigation, issuance of resolutions and follow up.
- ❑ This is a consequence of the lack of computer support and administrative controls to force the other units to keep an updated data system. The Head of this Unit and the operational staff do not agree on the tasks and responsibilities of this Unit.
- ❑ There have been cases in which the total staff working in this Unit has requested to review a file based on the criteria used to receive and qualify the case, when it is not their duty to do this. As a consequence, the investigation process is further delayed.

Recommendations:

- ❑ Update the Management Data System Base to allow an official of the Procedures Control or any other within the institution to learn about the location and status of the file.
- ❑ Redirect the task to code and keep files in the Computer Directorate, since the use of more modern technical equipment that allows them to update and enhance data quality.
- ❑ An example of this problem is the fact that the institution cannot submit reports on the nature of the cases served by orientation and assistance, notwithstanding the fact that they represent more than 50% of the cases investigated.
- ❑ Assign a person or unit that will provide information to the complainants, with regards to the location and status of a file. This would avoid other departments wasting the time we could be helping the customer of this Institution.

Department for the Control of the Lawful Performance of Public Administration

This unit is not incorporated into the functional structure of the institution's regulations, but it is in charge of investigating the executive branch agencies to guarantee a lawful performance and due administrative procedures and the compliance with institutional functions-

Needs and Gaps:

- ❑ The term Public Administration has not been specifically determined, neither the actual scope of this area. The methodology was not previously agreed upon resulting in many discrepancies regarding the use and the definition of violations, to the extreme that many delegations have never used the set typology and many qualify equal events differently. The unit lacks personnel to carry out duties which could be interpreted as the lack of institutional will to provide this area with support and to define the work of this unit.
- ❑ The same as other tutela units it lacks written material such as administrative laws, an updated data system, making the investigation and resolution processes difficult.
- ❑ A discussion, reflection, and institutional definition process should be carried out to define the limits and scope of this unit.
- ❑ Prepare a guideline or basic standards so that the staff can have basic criteria to deal with the cases filed at this unit

- ❑ Update a data bank on administrative laws and jurisprudence so that the system operators have the elements of judgement, criteria and methodology to investigate and issue resolutions.

Resolutions and Follow Up Department

Once a case has been investigated and judged it is then passed to the Department of Resolutions, which is divided into the central headquarters and the Delegaciones Departamentales.

It is important to highlight that this is the bottleneck in the process of individual cases. The delay starts at the investigation, through the investigation and then the review of judgements that in some cases are totally amended due to the deficiencies found.

The number of cases resolved since the start up of the Procuraduría in very low as can be evidenced in the statistics kept by the institution. There are some 900 unresolved cases since 1995.

Needs and Gaps:

- ❑ The cause of delay in the issuance of resolutions seems to be the mandate that only the incumbent can sign the resolutions, this hinders the efficiency of the ombudsman.
- ❑ The data base is not only obsolete and very slow but does not allow to cross information among victims, violators and violations, which makes the consolidation of information difficult, and does not help to provide an institutional pronouncement or adopt institutional policies.
- ❑ Resolutions do not display actual Human Rights Theory but rather confirm the use of judicial criteria.
- ❑ The same as in other areas, this one also lacks written material, or the compilation of legislation or doctrine to issue resolutions
- ❑ The delay in the issuance of resolutions (from 1 month to 4 years), shows little efficiency and the quality of content is very superficial.

“Oversee to the strict adherence with deadlines and legal terms in similar future cases...”

“Review and oversee the conduct of the National Civil Police elements, and their compliance in the investigation of crimes....”

- ❑ The non compliance of an institution with any resolution has never been made public, despite the low number of resolutions

Recommendations:

- ❑ De-concentrate the duty to sign resolutions in the 13 Departmental Delegates and Procuradurías Adjuntas. The internal Law of the Procuraduría should be reviewed.
- ❑ Develop a program to specialize personnel in charge of issuing and reviewing resolutions at the various levels: Colaborators, Department Heads, Delegates and Procuradores Adjuntos
- ❑ This training has to take into account the various types of resolutions issued by the Procuraduría to review, define and unify criteria.
- ❑ Update the data base for resolutions and follow up and support the Ombudsman in the adoption of specific programs and policies and also specific programs for the compliance with the recommendations made to violators.

- ❑ Create a team of specialists to oversee, assist and guide in the resolutions issuance process. This entails the reorganization of the Resolutions Department, mainly regarding labor distribution, the staff at the Delegations and the headquarters
- ❑ Create a coordination mechanism among the Heads of the Resolutions Department, Investigations and other units that send files to be resolved..
- ❑ Develop a follow up program of each staff member's performance, to distribute the load of work in accordance with capacity, efficiency and production quality.

Delegaciones Departamentales

Delegations are distributed in 13 departments of the country, the Delegado Departamental represents the Procurador in each area, and undertakes all the duties and powers of the Ombudsman .

Needs and Gaps

- ❑ Lack of a true institutional coordination to directly learn about the Ombudsman's criteria and policies and also the lack of material and human resources to carry out all the responsibilities undertaken.
- ❑ Delegates lack the power to sign resolutions, they send the project and ignore whether their recommendations were taken into account or not.
- ❑ This situation causes the loss of the general principles of Law, such as concertation, expediency and the Natural Judge

Recommendations.

- ❑ Develop a diagnostic study and reallocate resources and strengthen these areas with staff, transportation equipment, and communications.
- ❑ Improve the coordination mechanisms between the Central Office and the 13 Delegations regarding the systematization of work products, priority definition, and achievement of goals.
- ❑ Design and develop a training program for judicial collaborators, social workers, and Departmental Delegates.

Tutela Coordinator

This official is in charge of the weekly and monthly audits of all the departments that are related to Tutela, and also of the Departmental Delegations. He is also in charge of verifying the Data base updates, and guarantees that Procedures and Resolutions Control sends the reports on admitted and solved complaints to the Communications Department; and also guarantees that Procedures Control sends the national consolidation of complaints to the Procuradurías Adjuntas, Department Heads and Delegaciones Departamentales.

Needs and Gaps:

- ❑ Lack of a assistance, monitoring, control and coordination with remaining tutela and related units.
- ❑ Lack of basic human and material resources
- ❑ Lack of follow up and control instruments to oversee compliance with the goals and of the tutela units.

Department Delegations Coordination

This Unit is responsible of coordinating the work of the Delegaciones Departamentales in assistance, monitoring and control of the files managed Departmental offices.

Needs and Gaps:

- ❑ Almost no quality assistance and control is given to the cases processed by the Departmental offices.
- ❑ In the last years they have concentrated work on supporting the Departmental offices administratively, that is providing paper supplies, fuel and equipment, but neglecting the main function mentioned in the previous paragraph.
- ❑ There are two coordinations within Tutela (Central office and delegations) this creates a duality of command and the dilution of the monitoring and control capacity.

Recommendations for both Coordinations:

- ❑ It is recommended to unify both units into one sole coordination.
- ❑ This would allow for one sole line of communications between the headquarters and departmental delegations, and as a result a harmonization of institutional criteria with regards to non jurisdiction protection.
- ❑ Provide human resources and transportation equipment, photocopiers and communications equipment to both coordinations.
- ❑ Train the staff of these units on leadership, management, quality control and strategic and operational planning.

Legal Department

The promotion and administration of legal recourses is one of the most neglected areas of the Procuraduría, since in eight years of operations only five recourses have been submitted. This Department is comprised of only one person, the Head of the Department, whose functions have not been defined, and who limits his performance to the compliance with the Ombudsman's orders, it is unknown if he is under the Tutela area or if he has functional autonomy.

Needs and Recommendations:

- ❑ Once the functions of this Department are redefined, they should include the analysis of the bills submitted to the Legislature, in order to stress on the prevention of human rights violations.
- ❑ In this case, as in many others, the institution has been totally silent which besides causing the generalized non visibility of the Institution, leaves victims unprotected.

Procuradurías Adjuntas

The Procuraduría has 4 Procuradurías Adjuntas: Women, Childhood, the Elderly and the Environment. These are part of the tutela system, and when deemed convenient they participate in Tutela as was described at the beginning of this paper.

Needs and Gaps

- ❑ Lack of functional autonomy to make decisions, which is related to the excessive centralization at the Procurador's office. This is mainly the case of the issuance and publication of resolutions that can be only be signed by the Ombudsperson.
- ❑ Lack of specialized staff with multi disciplinary characteristics, e.g.: Psychologists, Social Workers, Ecologists, etc. in accordance with the mandate of each Procuraduría Adjunta.

- ❑ Despite the progress made, it is evident that the limits, scope and internal coordination has not been defined, especially between these units and the remaining units of the Tutela System. They generally work as independent and disconnected units for the reception, qualification and investigation of cases.
- ❑ With the exception of the Childhood Procuraduría, there is little or no work in the promotion and education of Human Rights at the Departmental, Municipal and Local levels.
- ❑ There is no technical capacity nor resources to analyze situations that would need to promote resources and reforms for the advancement of human rights or the submission of bills
- ❑ As with all the other units, there is no computer support to perform tasks (internet, email).

Recommendations

- ❑ Integrate, train and reassign the technical staff of the Procuradurías Adjuntas.
- ❑ Organize multidisciplinary work teams to receive, investigate and issue resolutions.
- ❑ Promote the autonomy of the complaints process of the Procuradurías Adjuntas by specific area, submission and publication of resolutions to prevent and educate and thrust preventive institutional policies
- ❑ Improve internal coordination mechanisms among the Procuradurías Adjuntas, Delegaciones Departamentales and the Salvadoran Institute of Human Rights
- ❑ Promote a coordination, communications and permanent consultation mechanism between the Ombudsman's office and the Procuradurías Adjuntas.

5.4 MUNICIPAL ADVOCACY CENTERS

A Municipal Advocacy Center (Defensoría Municipal) is a local grass root organization comprised of voluntary personnel that works as a coordination and consultation mechanism that supports the work of the Departmental Delegations and which is not part of their functional structure but rather work with community resources through a group of solidary volunteers.

There are about 75 Defensorías in the 14 departments of the country. These mechanisms have a basic service of complaints reception, Legal Assistance and Orientation and Conflict Mediation that they develop in coordination with the Delegaciones Departamentales.

Current Status and Recommendations:

- ❑ There is a lack of appropriate follow up of the Delegaciones Departamentales with regards to the work carried out by the Defensorías. Sometimes visits are made every quarter or semester, due to scarce resources and poor planning.
- ❑ There is not a permanent training program to integrate and train new staff, necessary since the Defensorias are comprised of volunteers.
- ❑ It is recommended to define an institutional follow up and coordination mechanism in accordance with the needs of Defensorías.
- ❑ Despite the support of the Procuraduría, these Defensorías, lack sustainability, since the resources are not sufficient nor adequate.
- ❑ It is important to maintain a continuous training system, to counter attack the turnover of staff.
- ❑ A sound selection program should be structured and certain incentives should be earmarked to insure the sustainability of volunteers.

5.5 ENFORCEMENT OF THE NEW CRIMINAL PROCEDURAL CODE

Among the powers of the PDDH is the jurisdiction to exercise an oversight role on prosecutors and Public Defense lawyers, the Police and the Judiciary.

Current Status and Recommendations:

- ❑ To date, the staff does not have the necessary knowledge to oversee compliance, since no specialized nor specific training has been given with regards to the amendments to the Criminal Procedural Codes
- ❑ It is urgent to design and execute training programs for the PDDH staff to strengthen their technical capacity
- ❑ It is necessary to identify, define and implement a methodology to verify the conditions and factors that affect the lack of efficiency of the Justice Operators within the framework of crime investigation of Policemen and Prosecutors.

5.6 CIVIL SOCIETY ORGANIZATIONS

In the last 2 years, the Institution has coordinated very few activities and projects with human rights related civil society organizations, nevertheless following is a list of the most important ones:

5.6.1 Organization: Fundación Obrero Empresarial Salvadoreña (FOES) (Salvadoran Labor Management Foundation)

Liaison: Otto Vidaurre
 Telephone: 263-4561
 Project: Municipal Alternative Conflict Resolution Program.
 Outcomes: Education of 450 Municipal Defensores in basic Alternative Conflict Resolution Techniques

5.6.2 Fundación Guillermo Manuel Ungo (FUNDAUNGO)

Liaison: Ricardo Córdoba
 Telephone: 243-4600
 Project: Consolidation of Human Rights Protection work driven by the Defensorias Municipales.
 Outcomes: Installation de 27 citizen tables for the coordination and resolution of conflicts and prevention of human violations.

5.6.3 Instituto de Derechos Humanos de la Universidad Centroamericana (IDHUCA).

Liaison: Benjamín Cuéllar
 Telephone: 273-5000
 Project: Strengthening of the Departmental Delegations and Territorial Decentralization of the PDDH.
 Outcomes: Training of 15 in Human Rights

5.6.4 Consortium of Human Rights Organization (CODEFAM, Madelaine Lagadec, Lutheran Synod and Non Governmental Human Rights Commission)

Liaison: Jorge Murcia
 Telephone: 274-6625

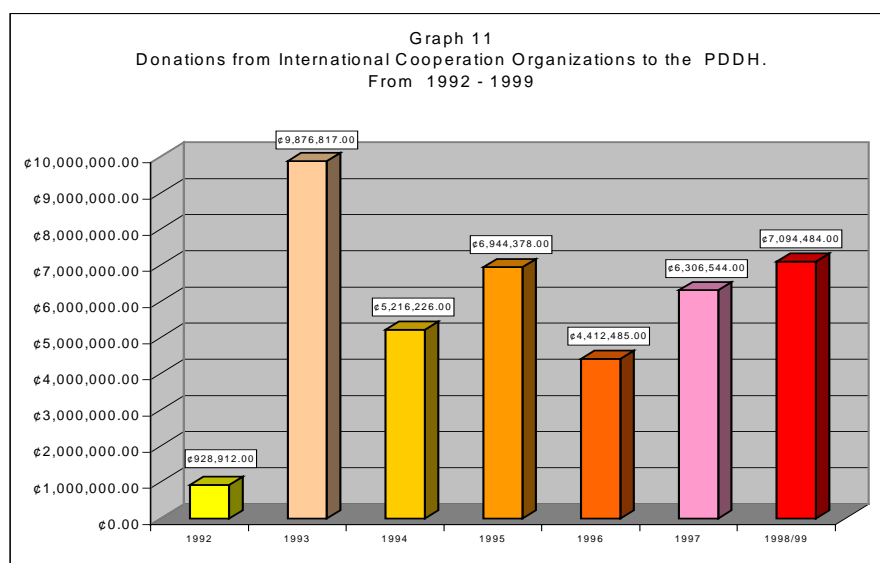
Project: Strengthening of the Departmental Delegations and Territorial Decentralization of the PDDH.

Outcomes: Training of 40 Consortium Members on Alternative Conflict Resolution and Human Rights Training of Local and Municipal promoters.

5.6.5 Fundación Maquilishuat

Liaison: Beatriz Barraza
Telephone: 284-1266
Project: Human Rights Literacy
Outcomes: Installation of 10 Human Rights Literacy Circles.

5.7 INTERNATIONAL COOPERATION ORGANIZATIONS



Areas of Cooperation:

Gráfico 12

Cooperación Internacional Recibida. Período 1998 - 1999

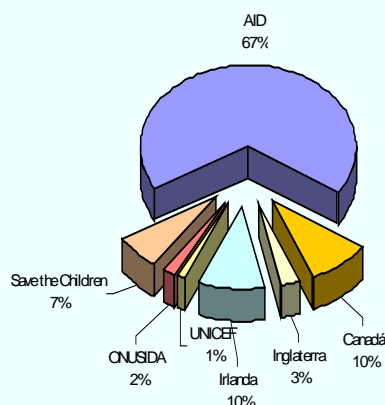
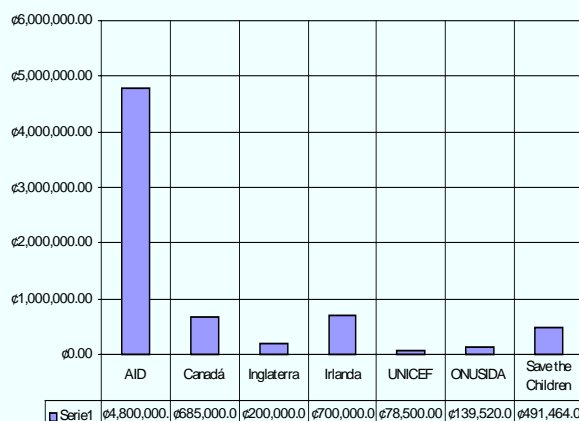


Gráfico 13

Cooperación Internacional Recibida. Período 1998 - 1999



UNICEF :	Strengthening of the Program for the Installation, Training and Follow up of the Childhood and Adolescence Defensorías .
CANADA:	Strengthening of the Procuraduría, Delegaciones Departamentales, and Defensorías by providing training, equipment, educational materials and personnel.
ENGLAND:	Training program in health, the environment, women and children for Defensorias Municipales.
IRELAND:	Installation and follow up of the human rights literacy circles and national local Defensorias.
SWEDEN	Strengthening of the Procuraduría's capacity to manage cases related to Public Security and the Penitentiary System.
RADDA BARNER:	Follow up and training of the Childhood Defensorias Program
FRANCE:	Follow up and training of the Childhood Defensorias Program.

6. ANALYSIS AND CONSIDERATIONS WITHIN THE FRAMEWORK OF CASE MANAGEMENT STATISTICAL INFORMATION.

- 1- From its onset until May, 1999, the Procuraduría has processed a total of 43,697 cases, of which 60% (28,278) were processed through Asistencia y Orientación, 32% (15,419) were qualified and investigated as alleged violations and only 8% (3,928) of the cases received a resolution. See charts # 1,2,3 y4.
- 2- During that same period, of the total resolutions issued (3,928), 47%(1,846) are liability resolutions, the rest were non liability resolutions, or archive and good offices (2,082). See chart # 5
- 3- With regards to the level of compliance with the resolutions from June 1995 to May 1996, of (928) resolutions issued, only 22 were enforced by the authorities accused, that is 2.37% of the total. (Chart 7)
- 4- From June 1998 to November 1999, out of 968 resolutions issued, only 59 were enforced, equivalent to 6.09% compliance (Chart 7).
- 5- Regarding violators, from June 1997 to May 1999, the National Civil Police holds the first place with 3,026 equivalent to 55%. The Judiciary is in second place with 1,332 violations equivalent to 20% cases, and the remaining 1,340 cases, equivalent to 25% are attributed to the City Halls and the Legislature among others (Chart 6).

- 6- Every administration has set the goal to measure the efficiency of the institution in each Tutela organizational unit. Efficiency has been measured by the amount of cases processed and resolutions issued. Nevertheless, it is interesting to observe that the work of the Procuraduría has been oriented towards other areas of equal or greater importance.
- 7- From June 1998 to May 1999, the institution earmarked human and material resources to educational activities (11%) of the total activities and/or products, verification and preventive observation 24 %, and coordination activities 5%, besides processing cases.

Gráfico 1
Casos Procesados por la Procuraduría para la Defensa de los Derechos Humanos. Período Junio 1995 a Mayo 1999

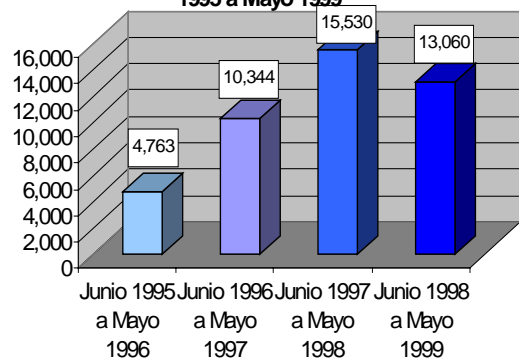


Gráfico 2
Casos Procesados vía Asistencia y Orientación. Período: Junio 1995 a Mayo 1999

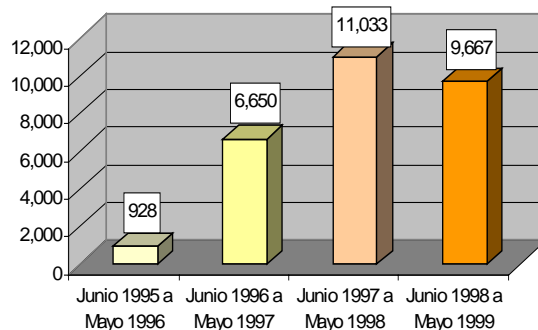


Gráfico 3
Casos Procesados y Calificados como Presuntas Violaciones a los Derechos Humanos.

Gráfico 5
Resoluciones Emitidas. Período Junio 1995 a Mayo 1999

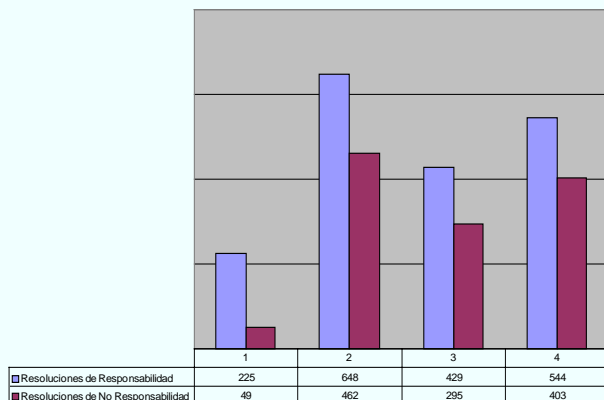
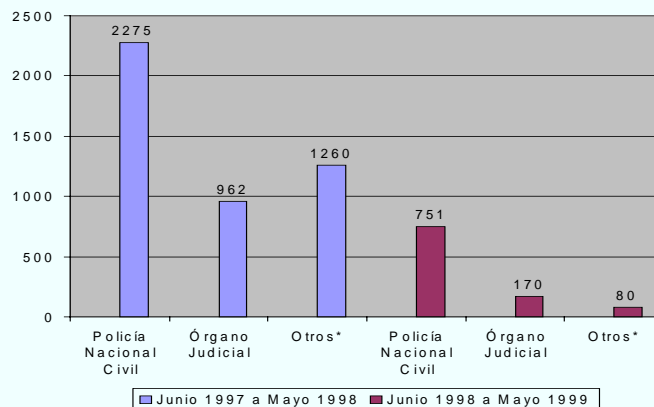
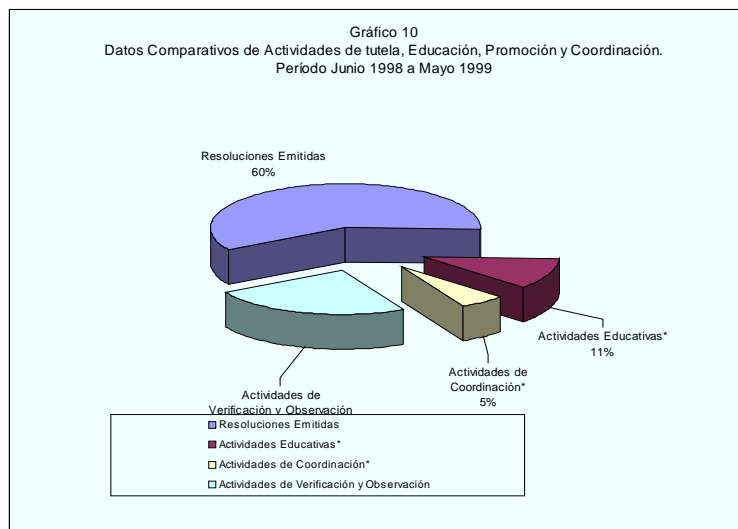
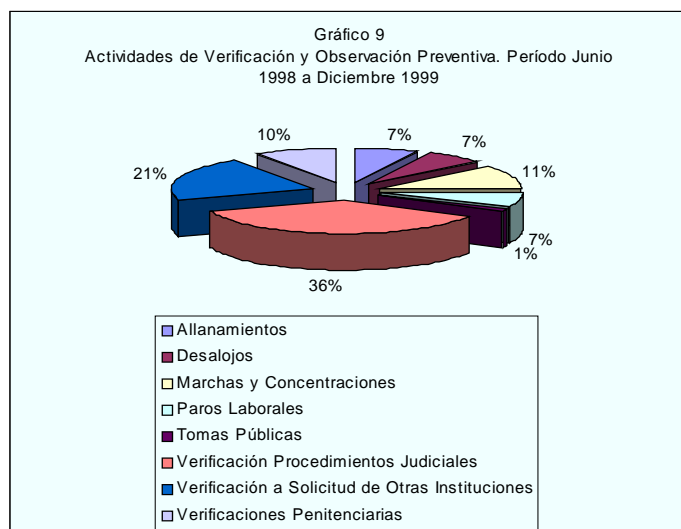
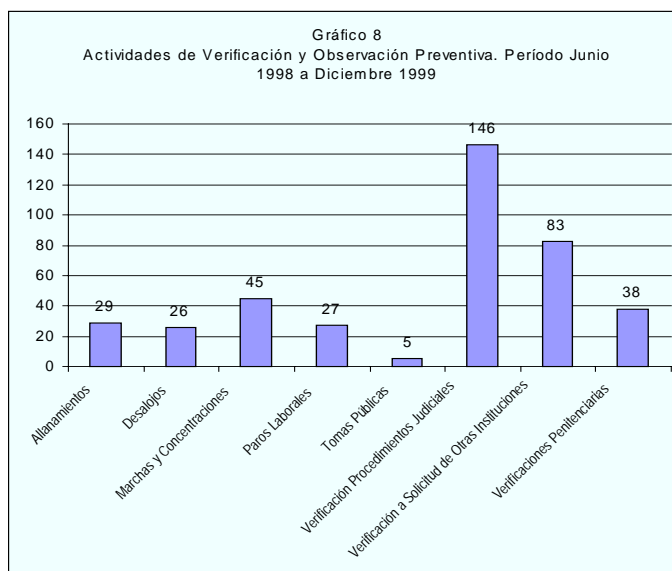
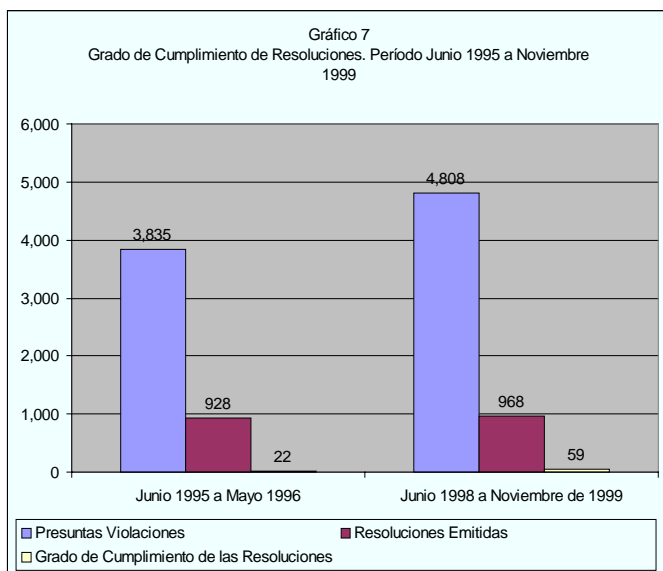


Gráfico 4
Casos Recibidos por la Procuraduría para la Defensa de los Derechos Humanos. Período Junio 1995 a Mayo 1996

Gráfico 6
Presuntos Responsables de Violaciones a Derechos Humanos. Período Junio 1997 a Mayo 1999





Appendix 3 Scope of Work June 1, 2000 – May 31, 2000

May 26, 2000

Institutional Strengthening of the Human Rights
Ombudsman Office in El Salvador
USAID Contract No. 519-A-00-00-0001600

Changes after meeting with USAID, PDDH

Scope of Work for June 1, 2000 – May 31, 2001

Proposed Tasks

1. Purpose/Rationale: Office Startup

For purposes of credibility and efficiency this project needs and deserves its own identity and secure space in which to conduct its research, to design systems and products, and to hold meetings in an environment that is practical and appropriately attractive in which to conduct business.

Task #1:

CRI will utilize Chemonics' experience and established procedures. This work includes setting up a secure office adequate for three project staff at the PDDH with procurement [via a USAID approved process] of any necessary furnishings and accessories, computer/printer and software, duplication and fax equipment, and dedicated lines for phone, fax, and Internet. They will install and train local staff in a computerized accounting system; also a computer specialist will help to establish the project team's computer necessities. The office will serve as the primary worksite for the project's human rights specialist.

Timelines:

July 15, 2000

* * * *

2. Purpose/Rationale: Facilitated/Elicitive Strategic Planning with PDDH's Highest Level of Decision Makers [22*] [3 days off site]

As a means to assure that the PDDH Ombudsman and senior level staff (i) share the same accurate informational base line about the agency's history, mission and mandate, structure and current situational status; (ii) share this project's purpose, scope, and general operations; and (iii) share fully in procedural equity and ownership in the formation of all substantive aspects, it is necessary that collective planning sessions be held.

Task #2:

- Review CRI project with PDDH:
 - (a) history;
 - (b) basis of need;
 - (c) general and specific purposes;
 - (d) scope of work with timelines; and
 - (e) clarifications.
- Review history of PDDH's formation:
 - (a) need;
 - (b) relationship to Peace Accords;
 - (c) mission;
 - (d) legislative mandate; and
 - (e) structure and governance.
- Review of the early years:
 - (a) initial programmatic emphasis and why;
 - (b) effectiveness;
 - (c) problems/concerns; and
 - (d) corrections.
- Review of (i) statistical data, and (ii) and other issues:
 - (a) number of referrals to outside agencies in specific human rights categories;
 - (b) number of "no liability" in specific categories;
 - (c) number of findings of liability in specific categories;
 - (d) number of cases by PDDH recommendations or by consensus via mediation in specific categories;
 - (e) time lapse from intake to resolution in specific categories;
 - (f) rate of compliance in specific categories;
 - (g) staff development activities;
 - (h) public education activities;
 - (i) development/maintenance with specific national NGO/international entities;

- (j) staff perceptions;
 - (k) public perceptions; and
 - (l) verifiable results.
- Identify current concerns i.e. what needs more attention or to be modified [revised/discontinued/added]:
 - (a) brainstorming of concerns and issues; and
 - (b) categorizing concerns/issues/problems under suggested heading such as:
*mission; long and short term goals; agency structure; case management [from complaint to resolution]; specific programmatic areas; ***Institute for Human Rights???*; *staff development and morale; public education; information systems; roles and responsibilities of key officers [re: functions within the institution related to effectiveness]; delegation of authority; institutional image; press relations; human resources, and customer service.*
 - Elicit and refine specific recommendations for:
 - (a) mission;
 - (b) programmatic goals for 3 and 5 years;
 - (c) information systems;
 - (d) programmatic emphases;
 - (e) case management [policy, process, practices];
 - (f) staff development and morale;
 - (g) public education;
 - (h) relationships with national legislature, national NGOs, and international sponsors;
 - (i) permanent follow-up and ongoing evaluation [of focus and compatibility with mission, of long and short term goals, public perception, organizational quality control standards and procedures, etc.];
 - (j) ongoing assessment of staff performance;
 - (k) interdepartmental communication and cooperation;
 - (l) institutional image;
 - (m) press relations; and
 - (n) Salvadorian Human Rights Institute

* Identify “highest level decision makers” who will be participating in the strategic planning sessions.

Timelines:

Mid July until August 31, 2000
[vacation first week of August]

* * * *

3. Purpose/Rationale: Facilitated/Elicitive Strategic Planning Involving the General “Core” PDDH Staff [40-50*] [2 days at PDDH Headquarters]

As a means to (i) provide the staff with a true sense of both procedural and substantive equity and ownership by having participated in the rejuvenation of the agency...and shared responsibility in its fulfillment; (ii) provide PDDH leadership valuable input from rank and field staff who have the responsibility of performing the daily functions which are meant to enable the agency to fulfill its mandates in a credible, efficient, and effective manner; and (iii) build a real sense of sustainable staff morale which has a direct relationship to quality performance and productivity.

Task #3:

- The following items will be thoroughly addressed:
 - (a) clarity of PDDH mission and legislative mandate;
 - (b) staff perspective of what's working and isn't working as well as the “whys” and “whats” should be done;
 - (c) review and discussion of proposed short and long term goals;
 - (d) review and discussion proposed clearly defined benchmarks;
 - (e) review and discussion of case management process;
 - (f) identification of bottlenecks;
 - (g) matters of efficiency;
 - (h) staff development and morale;
 - (i) public education;
 - (j) relatedness of the above to the following programmatic areas [Women, Children, Environment, Elderly and Eco Soc].
 - (k) intra organizational communication and cooperation;
 - (l) institutional image;
 - (m) evaluation and quality control; and
 - (n) Salvadorian Human Rights Institute

* General “core” PDDH staff to be selected by the Ombudsman office will constitute the legal and technical staff, and will include a cross section of the agency's role functions as well as a broad geographical representation via the 13 delegations. Furthermore, said participants will be well informed of what their office colleagues' thoughts and feelings are regarding the topics to be addressed.

Timelines:

Mid to end of August

[vacation first week of August]

* * * *

**4. Purpose/Rationale: Policy Formation by PDDH High Level Decision-Makers
[22] [1 day off site]**

It is crucial that the expectations and momentum begun in Task #2 and heightened in Task #3 be further intensified and nurtured in Task #4 and throughout the project by finalizing achievable goals and the activities to realize them.

Task #4:

PDDH leadership will:

- (a) conduct indepth discussions and analyses of (i) input from staff and (ii) their own work;
- (b) make recommendation to the Ombudsman regarding the programmatic and operational policies;
- (c) develop a practical and achievable operational planning system that is consistent with the strategic plan, and;
- (d) Ombudsman detailed announcement of the re-engineering plan.

Timelines:

End August to end September

* * * *

**5. Purpose/Rationale: The Salvadorian Human Rights Institute
[30] [2 days at PDDH Headquarters]**

The Salvadorian Human Rights Institute must be a crucial component of the PDDH for the prevention of human rights violations through (i) staff development trainings, (ii) education of civil society, (iii) education and trainings of all governmental sectors, and (iv) improvement of the PDDH institutional image via credible public relations programs. Therefore it is imperative that this Institute expeditiously examine and prioritize both its mandates and opportunities to fulfill needs by providing quality services including the development and dissemination of materials as well as the design and delivery of programs.

Task # 5

The most efficient and effective manner in which to refocus and revitalize this Institute is to conduct a separate strategic planning session involving all staff in order to collectively examine, discuss, and make definitive plans as to how to respond to the following items:

- (a) educational mission; i.e. prevention and public education
- (b) PDDH educational function;
- (c) organizational structure;
- (d) internal and external communication and coordination;

- (e) short and long term goals with achievable methodology;
- (f) target populations based on public needs;
- (g) prioritization of scarce Institute resources;
- (h) staff development and morale;
- (i) intra organization communication and cooperation;
- (j) design and development of educational materials and training programs;
- (k) quality assurance and evaluation processes;
- (l) customer satisfaction; and
- (m) promotion of Institutional capability and credibility

Timeline: September 2000 through June 2001

6. Purpose/Rationale: Assessment of Information System

Whereas various assessment studies regarding computer technical needs have been performed in the past with varying degrees of thoroughness and competencies it is important that an MIS expert be utilized to make a new “state of the art” survey and recommendations in order to assure that management information systems will be (i) all encompassing for a carefully determined scope and (ii) be fully practical in applications.

Task #6: [Please refer to Chemonics MIS Specialist Summary of Activities and Outcomes (attached)]

The MIS specialist will:

- (a) examine pertinent computer technology need studies in terms of equipment, software and personnel competencies;
- (b) MIS person will be involved with attaining computer equipment acquired through counterpart funds in accord with the transparent purchasing process which satisfies all proper procurement requirements;
- (c) draft a detailed plan in conjunction with the PDDH Computer Department that specifically address computer hardware, software, training, and maintenance needs;
- (d) place emphasis on both (i) case management/tracking [from complaint to resolution] and (ii) intra agency communications with regard to completeness, accuracy, pertinency, usefulness in terms of format, efficiency, and public education;
- (e) address financial data, [budget and expenditure] as well as non-financial resources [vehicles, office equipment, staff, computers, etc.]; and
- (f) devise an appropriate and an acceptable “human resources” information system which will assist management in determining staff competencies and productivity. The willingness to use such information in appropriate ways will solely depend upon the PDDH’s personnel/human resource policies and the consciousness of particular managers.

Timelines:

Proposed hiring for this position is July 15 – Aug 1

Year long with specific benchmarks

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7. Purpose/Rationale: Staff Development

Staff—inclusive of all levels—constitute keys to competency, efficiency, effectiveness, productivity, credibility [as in “customer satisfaction” and public perceptions], as well as job satisfaction which translates into staff morale. All the above components need to be integrated into a nurtured whole. PDDH staff yearn to be competent, to feel competent, and to be acknowledged as competent as well as to make the agency what it needs to be.

Task #7

Based upon the PDDH’s affirmed (i) policies, (ii) managerial, operational, and programmatic goals, and (iii) verifiable staff needs CRI with PDDH in detail will:

- (a) develop *user friendly* prescriptive materials [in hard copy manuals as well as in computer software] for case management from intake to resolution;
- (b) develop/test/revise related training programs;
- (c) develop general yet functional “crossover” staff capabilities in order for staff to competently perform several functions as a means to increase agency responsiveness, effectiveness, efficiency, productivity, staff performance assessment and credibility;
- (d) develop methods to increase staff motivation and morale, as well as provide incentives, and acknowledgments; and
- (e) utilize the management information system referred to earlier in this document.

Timelines:

October 1 – May 2001

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8. Purpose/Rationale: Press and National NGO/International Relationships

Pertinent national NGOs and international sponsors are needed allies—and are often the severest critics of the PDDH’s performance and effectiveness. It is beneficial and appropriate to utilize their valued input, collaboration, and cooperation in some aspects of program planning and implementation while always necessarily maintaining PDDH’s stance of independence. Accurate and regular communications between the PDDH and

the national NGO's and international donor sponsors will do much to build trusting and functional relationships. CRI will assume an undeniably active role with the Ombudsman and designees to assure that these goals are realized.

Task #8A

The appropriate convening of the press will occur on a regular and frequent basis in order to discuss concerns and progress in the re-engineering of the PDDH.

Task #8B

The appropriate convening of pertinent national NGOs and international sponsors will occur in order for the Ombudsman to:

- 1) provide a thorough orientation and discussion of the complete PDDH strategic plan in all its aspects;
- 2) elicit initial responses and predetermined requests for structured involvements; and
- 3) confer, and make final decisions within concepts of cooperative understandings between these entities.

Task #8C

The appropriate convening of pertinent national NGOs and international sponsors on a regular and frequent basis in order to nurture and maintain a meaningful and working relationship with the ombudsman and the PDDH will occur.

Timelines:

August 1, 2000- through May 31, 2000

[END]